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GOVERNMENT OF INDIA

CONSTITUENT ASSEMBLY OF INDIA

New Delhi, the 15th October, 1949

No. GA/37/Cons./49.—The following amendment made by the Constituent Assembly of India in the Constituent Assembly Rules on 15th October 1949 is published for general information:—

AMENDMENT

That for rule 88-R of the Constituent Assembly Rules, the following rules shall be substituted namely:—

"88-R. (1) When a motion that the Constitution be taken into consideration has been carried and the amendments to the Constitution moved have been considered, the President shall refer the Constitution as amended to the Drafting Committee referred to in sub-rule (1) of rule 88-L with instructions to carry out such re-numbering of the articles, clauses and sub-clauses, such revision of punctuation and such revision and completion of the marginal notes thereof as may be necessary, and to recommend such formal or consequential or necessary amendments to the Constitution as may be required.

Revision of the Constitution by the Drafting Committee and the consideration of the amendments recommended by them.

(2) After the Constitution has been referred to the Drafting Committee, the report of the Committee shall be presented to the Assembly by the Chairman or any other member of the Drafting Committee and thereafter the Chairman or other member of the Committee may move that the amendments recommended by the Committee in the Constitution so referred to them be taken into consideration:

Provided that no such motion shall be made until after the report of the Drafting Committee together with the copies of the Constitution as revised by them has been made available for the use of members and that any member may object to any such motion being made unless the report and the copies of the Constitution as so revised have been made available five clear days before the date on which the motion is made, and such objection shall prevail unless the President in his discretion allows the motion to be made.

(3) While making any motion referred to in sub-rule (2), the mover shall confine himself to an explanatory statement and at this stage there shall be no debate, and the President may, after such statement has been made, put the question.

(4) After the motion referred to in sub-rule (2) has been carried, any member may move an amendment which is either formal or

consequential upon an amendment recommended in any provision of the Constitution by the Drafting Committee after the Constitution was referred to them under sub-rule (1) but shall not be allowed to move any other amendment.

(5) If notice of a proposed amendment has not been given two clear days before the day on which the motion referred to in sub-rule (2) is to be taken up for consideration, any member may object to the moving of the amendment, and such objection shall prevail unless the President in his discretion allows the amendment to be moved.

(6) Notwithstanding anything in these rules, all the amendments recommended by the Drafting Committee, after the Constitution was referred to them under sub-rule (1), shall be deemed to have been moved, and it shall not be necessary for the President to put each of those amendments separately to vote.

(7) The provisions of sub-rules (2) and (3) of rule 38-P shall apply to every amendment of which notice has been given under sub-rule (5), and notwithstanding anything in these rules it shall be in the discretion of the President to disallow any amendment of which notice has been so given.

(8) The President shall allot not more than two days for the consideration by the Assembly of all amendments after the motion referred to in sub-rule (2) has been carried and shall, at the time appointed by him for the close of the sitting of the Assembly on the last of the allotted days, forthwith put every question necessary to dispose of all the outstanding matters in connection with those amendments, and in the case of amendments recommended by the Drafting Committee as such, he shall put only the question that the amendments so recommended be made or that the amendments so recommended as modified by any amendment or amendments adopted by the Assembly be made, as the case may be.

(9) For the purpose of bringing to a conclusion any proceedings relating to such amendments on the last of the allotted days, the President shall have power to select the amendments to be proposed.

Passing of the Constitution. 38-R.R. (1) When the amendments to the Constitution referred to the drafting Committee under sub-rule (1) of rule 38-R have been considered, any member may move that the Constitution as settled by the Assembly be passed, and to a motion so made no further amendment shall be allowed to be moved.

(2) The President may fix a time-limit for speeches during the debate on a motion made under sub-rule (1).

(3) The President may in relation to any proceedings in connection with the passing of the Constitution under rule 38-R or this rule relax or suspend any of these rules."

By Order,

S. N. MUKERJEE,

Joint Secretary